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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,701	02/11/2002	Gary Gottlieb	100.365US01	4402
34206	7590	10/31/2005		
FOGG AND ASSOCIATES, LLC P.O. BOX 581339 MINNEAPOLIS, MN 55458-1339			EXAMINER TRINH, MINH N	
			ART UNIT	PAPER NUMBER
			3729	

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/073,701

Applicant(s)

GOTTLIEB, GARY

Examiner

Minh Trinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 23-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 23-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/11/02</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of claims 23-26, and cancel of nonelected claims 1-22 and 24-36 in the reply filed on 8/19/05 is acknowledged.

An Office action on the merits of elected claims 23-26 as follows

### ***Specification***

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "Method of making connection for transmitting current" or the like.

3. The abstract should be revised as so to reflect the claimed method invention.

### ***Claim Objections***

4. "A method " (claim 1, line 1) should be changed to:-- A method of connecting via to substrate--, is suggested as so to clearly define the scope of the method invention.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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6. Claims 23-26 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is not clear whether "a substrate" (see claim 23, line 4) is as same as "a substrate" of claim 23, line 1 ?

The invention appears to be directed to method of connecting via to a substrate for transmitting current instead of transmitting current because in prior to the transmitting current at first the process of providing and or forming of connection and substrate, etc have to be associated with the process therefore it is clearly that the process is directed to the process of making via connection for transmitting current instead of method of transmitting current. Please clarify.

It is not known what being referring as "directing the current along an uninterrupted path" (claim 23, lines 5-6)?

Also it is not known as to how the transmitting of current method is operatively connected to the step of separating and spanning the gap as recited in claim 23, lines 7-9, and others limitations recited in each of dependent claims 24-26.

The scope of claim 24 is not clear because it is not known what is " an electronic component " (see claim 24, line 2) and how the receiving of the current is from the electronic component since the component is not a power source. Also, the claims directed to a method for transmitting current and the limitation recites "an electronic component "(claim 24, lines 2) does not seem to further limit the claimed method.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 23, 25, 26 as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Barr et al (US 6,711,814).

Barr et al discloses a method for making conductive via including for transmitting high-frequency current through a substrate, comprising: receiving the high-frequency current at a via 70 passing through a conductive plane (see Fig. 14) disposed within a substrate 50; It is noted that Barr et al inherently discloses the step of directing the high-frequency current along an uninterrupted path substantially on a surface of the via comprising separating the via from the conductive plane using a gap (see Fig. 14), and spanning the gap with one or more tabs of the conductive plane so that the one or more tabs contact the via (see related embodiment of Figs. 6, 9, etc.).

Limitations of claimed 25-26 are also met by Barr et al (see Fig. 9 incorporated with Fig. 14)

9. Claims 24 as best understood is rejected under 35 U.S.C. 103(a) as being unpatentable over Barr et al (US 6,711,814) in view of Howard et al (5,347,258).

Barr et al fail to disclose the current being receiving from an electronic component disposed on the substrate. Howard et al disclose the above (see Figs. 2-4,

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depicts the supplying current to the via by an electronic component 12). Therefore, one having ordinary skill in the art at the time of the invention was made to employ the teaching of Howard onto the invention of Barr in order to facilitate the fabrication process such as formation of conductive connection between the component and the via structure therefrom.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art references cited for their teachings of via connection or the like.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Trinh whose telephone number is (571) 272-4569. The examiner can normally be reached on Monday -Thursday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mt  
10/20/05

  
**MINH TRINH**  
**PRIMARY EXAMINER**